

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MYRA BREVARD,

Plaintiff,

23-CV-7702 (PAE) (KHP)

-against-

ORDER

WELLS FARGO CO.,

Defendant.
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KATHARINE H. PARKER, United States Magistrate Judge:

Plaintiff commenced this action in the Civil Court of the City of New York, New York County, on May 30, 2023. On August 30, 2023, Defendant removed this case to Federal Court based on federal question jurisdiction. Upon removal, Plaintiff did not provide her contact information to the Court. On September 6, 2023, Defendant moved to dismiss the Complaint and Plaintiff did not oppose the motion.

On December 11, 2023, the Court held an Initial Case Management Conference. Plaintiff did not attend the conference, and accordingly the conference was adjourned. Following the conference, the Court issued an Order rescheduling the Initial Case Management Conference for **February 15, 2024 at 2:00 p.m.**, and granting an extension of time *nunc pro tunc* for Plaintiff to respond to the motion to dismiss to **Thursday, January 18, 2024**. (See ECF No. 13.) The Court also found what it believed to be Plaintiff's accurate mailing address and it directed the Clerk of Court to add that address to the docket in this case, and to mail the Court's Order to the Plaintiff at that address. On January 11, 2024, the Order was returned to sender.

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Plaintiff is again advised that it is her responsibility to ensure her mailing address is accurate so that the Court can communicate with her. Failure to maintain an accurate mailing address on the docket coupled with continued failure to attend court conferences and/or meet Court-set deadlines may result in sanctions, up to and including dismissal of this case for failure to prosecute.

Because Plaintiff still has not responded to the Motion to Dismiss, out of excessive solicitude to Plaintiff, the Court grants one **final** extension of time for Plaintiff to respond to the Motion to Dismiss to **Friday, February 2, 2024**. If the Court receives no response from Plaintiff by this deadline, the Motion to Dismiss will be considered unopposed.

The Clerk of the Court is respectfully directed to attempt to mail a copy of this Order to Plaintiff at the address listed on the docket.

SO ORDERED.

DATED: New York, New York
January 25, 2024



KATHARINE H. PARKER
United States Magistrate Judge